

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

YVONNE M. GRIFFIN,

Defendant.

Case No. 12-cv-13927

HONORABLE STEPHEN J. MURPHY, III

ORDER ADOPTING REPORT AND RECOMMENDATION (docket no. 10)

Plaintiff filed its complaint against Yvonne M. Griffin, seeking to collect unpaid student loan debt related to a promissory note she executed in 1986. Griffin filed a pro se answer to the complaint on September 28, 2012, stating only "I deny all allegations indicated in this lawsuit." Answer, ECF 4. The matter was referred to a magistrate judge for pretrial proceedings. On October 26, 2013, the United States sought summary judgment, and attached as exhibits to its motion the promissory note Griffin executed, a certificate of indebtedness, and the affidavit of a loan analyst with the United States Department of Education swearing that the certificate of indebtedness is true and accurate. Summ. J., ECF No. 6. The magistrate judge issued an order requiring Griffin to respond to the motion by November 26, 2012, and warned that "[f]ailure to file a response may result in sanctions, including granting all or part of the relief requested by the moving party." Mag. Order Requiring Resp., ECF No. 8. Griffin failed to respond to the summary judgment motion. The magistrate judge then issued an order requiring Griffin to show cause on or before January 18, 2013, why he should not recommend that a default be entered against her for her failure to file a response to plaintiff's summary judgment motion and, alternatively, allowed

Griffin to file a response by this same date. Mag. Order to Show Cause, ECF No. 9. Griffin did not file any response to the Order or to the summary judgment motion. On March 20, 2013, the magistrate judge issued a report and recommendation recommending that the Court enter default judgment against Griffin and terminate all pending motions as moot. Report, ECF No. 10. Griffin was served with a copy of the report and has failed to file objections.

The Court has reviewed the record, and agrees with the magistrate judge's recommendation. Accordingly, the Court will enter default judgment against Griffin.

WHEREFORE it is hereby **ORDERED** that the report and recommendation (docket no. 10) is **ADOPTED**, all pending motions are **DENIED** as moot, and the Court will enter judgment by separate order.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 30, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 1, 2013, by electronic and/or ordinary mail.

Carol Cohron
Case Manager